

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

FEMHEALTH USA, INC., d/b/a CARAFEM,

Plaintiff,

v.

CAUSE NO. 3:22-cv-00565
JUDGE CAMPBELL

**RICKEY NELSON WILLIAMS, JR.;
BEVELYN Z. WILLIAMS; EDMEE
CHAVANNES; OPERATION SAVE AMERICA;
JASON STORMS; CHESTER GALLAGHER;
MATTHEW BROCK; COLEMAN BOYD;
FRANK “BO” LINAM; BRENT BUCKLEY; and
AJ HURLEY,**

Defendants.

OSA DEFENDANTS’ MOTION TO STAY PROCEEDINGS
PENDING RESOLUTION OF APPEAL

Defendants Operation Save America, Jason Storms, Matt Brock, Coleman Boyd, Brent Buckley, and Frank “Bo” Linam (“OSA Defendants”) hereby move for a stay of this case, pending final determination of their appeal of the order granting a preliminary injunction. As shown more fully in the memorandum of law in support of the motion, a stay of the case would serve the interests of judicial economy and of justice, and would not prejudice the Plaintiff in any way.

As grounds, the OSA Defendants state:

1. This case was filed on July 29, 2022. ECF 1.
2. Plaintiff obtained a temporary restraining order on that same date, without notice to Defendants. ECF 9.
3. On August 9, 2022, Plaintiff filed a motion for preliminary injunction. ECF 13.

4. On September 9, 2022, after briefing by the OSA Defendants and the Plaintiff, the Court held a hearing on the motion, at which only counsel for the Plaintiff and counsel for the OSA Defendants appeared. ECF 65.
5. On September 14, 2022, this Court entered a preliminary injunction. ECF 66.
6. These Defendants filed their notice of appeal of that order on September 15, 2022. ECF 68.
7. To date, no other Defendant has yet entered an appearance.
8. This Court has broad discretion to control its docket.
9. Entry of a stay of the proceedings would serve the interests of judicial economy and of justice by preserving the preliminary injunction, thereby protecting the Plaintiff, while at the same time conserving party and judicial resources by avoiding needless discovery and motion proceedings while the appeal of the order is pursued and narrowing the issues remaining.
10. While there would be no prejudice to the Plaintiff by entry of a stay, in addition to the needless cost and expense of defending the case below, which would harm all Defendants, the Defendants other than the OSA Defendants would suffer further prejudice by virtue of the fact that they have not yet even entered an appearance and so would be unable to respond to Plaintiff's allegations and prosecution of the case.

Certification of Conferral Pursuant to LR 7.01(a)

Counsel for the OSA Defendants hereby certifies that he has conferred with counsel for the Plaintiff in a good faith effort to obtain consent to the motion, but was unable to secure said consent.

WHEREFORE, the OSA Defendants move the Court for entry of an order staying the proceedings below pending final resolution of the appeal of the preliminary injunction order, and for such other and further relief to which they may be entitled.

Respectfully submitted this 20th day of September, 2022.

/s/Stephen M. Crampton
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*Counsel for Defendants Operation Save America,
Jason Storms, Matthew Brock, Coleman Boyd, Frank
“Bo” Linam, and Brent Buckley*

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2022, the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, and that a copy of the foregoing will be sent electronically to all counsel of record by operation of the Court's CM/ECF system.

In addition, a true and correct copy of the foregoing will be served as follows:

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s/Stephen M. Crampton
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